

Message Text

LIMITED OFFICIAL USE

PAGE 01 BRASIL 00545 211201Z

17

ACTION COA-01

INFO OCT-01 ARA-06 ISO-00 CIAE-00 COME-00 DODE-00 DOTE-00

EB-07 FMC-01 INR-07 NSAE-00 RSC-01 CG-00 DLOS-03

NSCE-00 SSO-00 USIE-00 INRE-00 OES-03 AGR-05 AID-05

IO-10 OMB-01 NSF-01 OPR-01 PM-03 H-01 L-02 NSC-05

PA-01 PRS-01 SP-02 SS-15 /083 W
----- 107645

O R 211135Z JAN 75

FM AMEMBASSY BRASILIA

TO SECSTATE WASHDC IMMEDIATE 7385

INFO AMEMBASSY MEXICO

AMCONSUL RIO DE JANEIRO

AMCONSUL SAO PAULO

LIMITED OFFICIAL USE BRASILIA 0545

E.O.11652: N/A

TAGS: EFIS, BR

SUBJECT: RENEGOTIATION OF BILATERAL SHRIMP FISHING ARRANGEMENT

REF: BRASILIA 504

1. MINISTER SERGIO BATH TODAY, JANUARY20, RESPONDED
TO ECON COUNSELORS REPRESENTATION ALONG FOLLOWING LINES:
A. GOB DOES NOT AGREE WITH STATEMENT THAT IT IS IMPOSSIBL
TO DISCUSS AN AGREEMENT ALONG THE LINES PROPOSED
WITHOUT COMPROMISING THE JURIDICAL POSTION OF EACH COUNTRY.
B. GOB RECALLS THAT IN 1972 THE TWO GOVERNMENTS STARTED
FROMTHE SAME POINT AND FOUND A WAY AROUND THE
DIFFICULTY.
C. THE GOB DOES NOT BELIEVE THAT THE USG WOULD NECESSARILY
HAVE TO ACCEPT BRAZIL'S JURIDICAL CLAIM AS A CONSEQUENCE
OF ACCEPTING THE "PHASE-OUT" CONCEPT.
D. GOB WISHES TO STRESS THAT THE PHASE-OUT CONCEPT IS
LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 BRASIL 00545 211201Z

TIED TO AN EFFORT TO ACCEPT AND ATTRACT US INVESTMENT

IN THE FIELD OF FISHING. GOB BELIEVES THAT THIS IS AN
IMPORTANT POINT AS FAR AS THE OBJECTIVE INTERESTS OF
THE US FISHING INDUSTRY ARE CONCERNED.
E. IF USG APPROACHES THE NEGOTIATIONS ON THE BASIS THAT
IT CANNOT ACCEPT THE PHASE-OUT CONCEPT, US IN
EFFECT IS SAYING THAT NEGOTIATIONS ARE NOT POSSIBLE.
PHASE-OUT IS THE BASIS OF THE GOB POSITION
NOT ONLY IN REGARD TO THE US-BRAZILIAN AGREEMENT BUT IN
REGARD TO OTHER AGREEMENTS AS WILL.
F. GOB WISHES TO CONFIRM WHETHER THE FOREGOING IS
THE CORRECT INTERPRETATION OF THEUS POSITION.
G. IF THIS IS THE CASE - IF THE USG IS IN FACT
APPROACHING THE GOB WITH A POSITION THAT IT CANNOT
ACCEPT THE PHASING-OUT CONCEPT - THERE WILL BE NO NEED
AND POSSIBILITY FOR NEGOTIATIONS.

2. SERBIO BATH SAID THAT GOB IS CURRENTLY NEGOTIATING WITH BARBADOS
AND CLAIMED THAT DESPITE GREAT DIFFICULTIES BARBADOS
THIS AFTERNOON HAD ACCEPTED THE PRINCIPLE OF PHASE-OUT
ALTHOUGH IT DID NOT ACCEPT BRAZIL'S LEGAL POSITION. HE
ALSO NOTED THAT IF USG WERE PREPARED TO NEGOTIATE ON
BASIS OF PHASE-OUT CONCEPT, A VARIETY OF RATIONALS, OTHER
THAN ACCEPTANCE OF BRAZIL'S JURIDICAL CLAIM, WOULD
UNDOUBETEDLY BE AVAILABLE TO JUSTIFY ACCEPTANCE OF THE
CONCEPT.

3. ECON COUNSELOR RESPONDED THAT USG SAW NO POLITICAL
BASIS AND JUSTIFICATION FOR ACCEPTING PHASE-OUT OF
US FISHING INTERESTS IN THE ABSENCE OF
ACCEPTAANCE OF BRAZIL'S JURIDICAL CLAIM. WE UNDERSTAND
THAT BRAZIL WASNOT PROPOSING ECONOMIC LIQUIDATION OF
THE FISHING OPERATIONS NOW CARRIED ON UNDER THE US FLAG
BUT THAT THE TRANSFER TO BRAZILIAN
JURISDICTION WAS NOT JUSTIFIABLE IN LIGHT OF THEUS
JURIDICAL POSITION.

4. WE UNDERSTAND THAT SIMILAR PRESENTATION WILL BE
MADE BY BRAZILIAN EMBASSY TO THE DEPARTMENT.

5. CONCERNING A MEETING OF SCIENTISTS, BATH SAIDTHE
LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 03 BRASIL 00545 211201Z

FONOFF WAS NOW CONSULTING SUDEPE AND IN CASE SUDEPE
IS INTERESTED IN SUCH A MEETING AND NEGOTIATIONS SHOULD
IN FACT TAKE PLACE, THE FONOFF WOULD NOT OBJECT. HE
PROPOSED JANUARY 30-31 FOR SUCH A MEETING OF SCIENTISTS.
CRIMMINS

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: SHELLFISH, NEGOTIATIONS, FISHING AGREEMENTS, FOREIGN POLICY POSITION
Control Number: n/a
Copy: SINGLE
Draft Date: 21 JAN 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: GolinoFR
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975BRASIL00545
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D750022-0520
From: BRASILIA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750135/aaaabemr.tel
Line Count: 113
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION COA
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 75 BRASILIA 504
Review Action: RELEASED, APPROVED
Review Authority: GolinoFR
Review Comment: n/a
Review Content Flags:
Review Date: 03 SEP 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <03 SEP 2003 by BoyleJA>; APPROVED <04 SEP 2003 by GolinoFR>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
05 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: RENEGOTIATION OF BILATERAL SHRIMP FISHING ARRANGEMENT
TAGS: EFIS, BR, US
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006